

AO 442 (Rev. 11/11) Arrest Warrant

United States District Court

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
9:25 am, Dec 23, 2014
JEFFREY P. COLWELL, CLERK

DISTRICT OF COLORADO

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

CASE NUMBER: 14-mj-01158-KLM

JEREMIAH M. PEREZ

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

COUNT ONE

On or about December 16, 2014, in the State and District of Colorado and elsewhere, **JEREMIAH M. PEREZ**, defendant herein, did transmit in interstate and foreign commerce any communication containing any threat to injury the person of another.

All in violation of Title 18, United States Code, Section 875(c).

I further state that I am a Special Agent with Federal Bureau of Investigation and that this complaint is based on the following facts: see Affidavit attached hereto and herein incorporated by reference.

Continued on the attached sheet and made a part hereof: X Yes No

s/ Jon Wayne Cronan
Signature of Complainant

Sworn to before me, and: subscribed in my presence
 submitted, attested to, and acknowledged by reliable electronic means

22 Dec 2014
Date

at Denver, Colorado
City and State

Kristen L. Mix
United States Magistrate Judge
Printed Name and Title



Signature of Judicial Officer

AFFIDAVIT

1. I am a Special Agent for the Federal Bureau of Investigation (FBI) and therefore an investigative or law enforcement officer within the meaning of 18 U.S.C. § 2510(7) who is authorized by law to conduct investigations of and make arrests for offenses enumerated in 18 U.S.C. § 2516. I have 21 years of law enforcement experience, including 9 years as a Special Agent with the FBI. During the course of my career, I have received training and conducted investigations in the field of interstate communications and have had the opportunity to participate in investigations relating to Interstate Communications. I have participated in investigations involving electronic evidence, emails, text messages, and the Internet. My duties include investigating Interstate Communications, in violation of 18 U.S.C. § 875(c).
2. Based on my training and experience, I understand that under 18 U.S.C. § 2702, public service providers are typically prohibited from sharing information about subscribers unless certain exceptions apply. One of those exceptions provides that a provider can give information “to a governmental entity, if the provider, in good faith, believes that an emergency involving danger of death or serious physical injury to any person requires disclosure without delay of communications relating to the emergency.” 18 U.S.C. § 2702(b)(8).
3. On December 17, 2014 in accordance with Voluntary Disclosure Of Customer Communications Of Records as outlined above, Google Plus referred information to the Federal Bureau of Investigation (FBI), San Francisco Field Office, stating the following: *Based on the content of a post/comment to a YouTube video on Google Plus Social Media, Google Inc. believes that there presently exists an emergency involving imminent death or serious bodily injury to a person or persons, and that immediate disclosure to you of certain information is required to avert the emergency. The post can be found here <<<https://plus.google.com/u/3/101359421377750488909/posts/Y5qpwz6ovUr>>>, but copied below for your convenience:*

Content: SINCE DARREN WILSON our group has killed 6 retired sheriffs and cops.....because of this event we will hunt two more in colorado this week....for every innocent citizen that cops kill WE, VETERANS WILL KILL RETIRED HELPLESS COPS.....we already started and MORE TO COME NOW.....join us and kill any cop or any retired cop !!!!!!! MORE PEOPLE HAVE BEEN KILLED SINCE THE PROTEST !!! THEY DONT CARE, SO NOW REAL HEROS WILL HUNT THEM ALL !!! fuck ISIS, COPS ARE THE REAL ENEMIES OF FREEDOM LOVING AMERICANS and TIME TO STRIKE BACK IN ALL OUT WAR IS NOW !!!!

Post IP: 71.211.42.222

Added: Tue, 16 Dec 2014 16:59:28 UTC

SMS: n/a

Shooting threat

All times are in UTC

4. FBI San Francisco immediately forwarded the information to FBI agents in Denver,

Colorado, stating Google Inc. provided a link and attached message as well as the date and time stamp and IP address from which the posting was made. It was determined from public sources that the IP associated with the posting was assigned to CenturyLink, and it resolved to the Colorado Springs area.

5. FBI agents in Denver, Colorado contacted CenturyLink with the IP address and the posting's date and time in accordance with Voluntary Disclosure Of Customer Communications Of Records, 18 U.S.C. § 2702 (b)(8), as outlined above. CenturyLink disclosed that the subscriber is Paul Perez, listed to a residence in, Colorado Springs, Colorado.
6. In the evening of December 17, 2014, FBI agents in Denver, Colorado contacted FBI agents in Colorado Springs who immediately began surveillance on the residence. A check of Department of Motor Vehicle records revealed that one of the vehicles parked at the residence was registered to Jeremiah M. Perez.
7. Military records revealed that Jeremy Michael Perez was a member of the US Armed Forces. Jeremy Michael Perez was the subject of an article 15 investigation, a non-judicial military violation.
8. Google Inc. reported that the IP address for the YouTube account creating matches the IP address used to make the above referenced threatening post.
9. On December 18, 2014, FBI agents in Colorado Springs, Colorado served Jeremiah M. Perez with a Federal search warrant to search his residence in Colorado Springs, Colorado. It included authority to seize computers found in the residence.
10. During the execution of the Federal search warrant, Jeremiah M. Perez was interviewed by undersigned. During the interview, Jeremiah M. Perez admitted writing the post referred to above. Jeremiah M. Perez stated that that he posted this comment on YouTube. Jeremiah M. Perez claimed sole responsibility for the posting and claimed that he was the only one who had access to his computer. Jeremiah M. Perez stated that his posting were the result of misplaced frustration and a way of experimenting with words. Jeremiah M. Perez stated that his intent was to engage You Tube viewers in conversation, but not a single person replied to his postings. Jeremiah M. Perez stated that he knew what he was doing was wrong and expressed for remorse for making the threats.
11. Perez stated that he has had some problems with police officers in the past and described an incident where he believed he was treated differently because of his Latino heritage. Perez stated that his writings became much more violent following the shooting of an unarmed African American man in Ferguson, Missouri. Perez began posting his writings on YouTube as a way to remain anonymous while posting antagonizing arguments targeting law enforcement. Perez stated that he was going to continue posting the antagonizing comments until law enforcement intervened.
12. On December 22, 2014 your affiant interviewed Perez again at his residence. Prior to the interview starting, your affiant read Perez an Advice of Rights form, which contained a *Miranda* advisement. Perez memorialized his intent to waive his rights and to speak with

investigators by reading the consent portion of the form aloud and signing the form. During the interview Perez stated that while writing the antagonizing posts he was frustrated and was trying to start a heated argument with viewers of the post. He knew that law enforcement officers would see the post and his intent was for them to be fearful after reading the post. Perez alleged in his postings that he was part of a group but in actuality he is not a member of any group. He realized that other groups, such as the Ku Klux Klan, offer legitimacy to their arguments by being part of a larger organization and he wanted to leave that same impression on readers of his posts. Perez' frustrations were a result of his "strange sense of justice." Perez has experienced some bad experiences growing up around law enforcement officers. Perez described his father as a law enforcement officer and stated that his father was employed as Security Police Law Enforcement for the US Air Force.

13. A forensic examination of Perez' computer was performed and many of the results shown to Perez during the second interview. Perez confirmed that he was the only person using this computer and accepted responsibility for the posts and searched performed on the computer. Law enforcement agents determined by conducting searches of the Internet and YouTube that "Vets Hunting Cops" had engaged in discussions with other readers online on YouTube. As an example, Perez was shown a post from "Vets Hunting Cops" that was posted on YouTube (posting date stated "two weeks ago" on YouTube as of December 20, 2014) and which read "*.....I have a family of cops and they are ALL BAD. Nice to know you support killing Americans by conservatives in WAR and by conservative cops when vets come home. Thank you for your information pplebian and get ready for war coward. NOT A SINGLE COP IS GOOD. either they do wrong or they protect those that do ALL SCUM and a lot will meet death at the hands of REAL AMERICANS. Your just a cops or a racist cops family member and you know THEY ARE ALL BAD AND ARE ALL TARGETS NOW!!! Pussy racist we have your life now. And im MUCH happier now with your life in someone elses hands.*" Perez confirmed that this was his comment and that he authored the post.
14. Another example posted on YouTube by "Vets Hunting Cops" read "*...we are home, and we are armed and getting ready for war, cant wait to kill you fake patriots on the right. Good luck, vets are ready to kill and bring war. Your side wanted it, here it is, don't go crying to your leaders who will leave to be slaughtered.*" Perez also confirmed that this was his comment and he authored the post.
15. Perez was also shown searches that were performed on his computer using the following key words: "*Kill Sara Palin, Kill Barack Obama, Kill Cory Gardner, Kill Darren Wilson, Find and Kill Darren Wilson, Kill Fox Pundints, Fox News Headquarters, Kill Fox News Racist, Kill Bill O'Reilly, Fox News Headquarters gets bombed, Someone Kill Fox News, Kill the Cops, Beaver Creek City Police Department, How to Find Somebody on YouTube, How to Find Somebody's IP Address Through YouTube, Kill Ted Cruz, Kill Mitch McConnell, Calls to Assassinate GOP Leaders, Google Maps for Fox News Headquarters, Hunt Darren Wilson's Family, St. Louis Police Officer's Association, Darren Wilson Prosecutor, Locate Bill O'Reilly's house.*" Perez accepted responsibility for each of the key word searches but claimed that he never intended to follow through with any of the violent acts he was researching.

16. Following the interview Perez was taken into custody and transported to the El Paso County Criminal Justice Center for holding.

I declare under penalty of perjury that the foregoing is true and correct to the best of my information, knowledge, and belief.

s/ Jon Wayne Cronan
Jon Wayne Cronan
FBI

SUBSCRIBED and SWORN before me this 22nd day of December 2014


UNITED STATES MAGISTRATE JUDGE

DEFENDANT: JEREMIAH M. PEREZ

AGE: 33

ADDRESS: El Paso County Jail

OFFENSE(S): 18 U.S.C. § 875(c), Interstate Communications

LOCATION OF OFFENSE: El Paso County, Colorado

PENALTY: NMT 5 years imprisonment, NMT \$250,000 fine or both, NMT 3 years Supervised Release, \$100 Special Assessment Fee.

AGENT: Jon Wayne Cronan
Special Agent, FBI

AUTHORIZED BY: Judith A. Smith
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

five days or less

THE GOVERNMENT

will seek detention in this case

The statutory presumption of detention is not applicable to this defendant.

OCDETF CASE: __ Yes No